

REMARKS

This application has been reviewed in light of the Office Action dated September 11, 2003. Claims 1-20 are pending in the application. By the present amendment, claims 1 and 11 have been amended. No new matter has been added. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

By the Office Action, claims 1-7, 9-17 and 19-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,553,220 to Marks (hereinafter Marks) in view of U.S. Patent No. 6,032,039 to Kaplan (hereinafter Kaplan) and U.S. Patent No. 6,587,681 to Sawai (hereinafter Sawai).

The Examiner stated that the claims of the present application were obvious in view of the cited combination. The Applicant respectfully disagrees. The cited combination fails to disclose or suggest at least the caller ID features presently claimed.

Marks is directed to a message storage system capable of receiving commands which correlate a telephone handset with messages stored in the system which are associated with that telephone handset. In essence, Marks maps telephones with message left for those telephones. The information conveyed to a user is the voice data left by the caller who left the message. Marks does not disclose or suggest returning caller ID information as part of a message or independently. As mentioned, codes are input by a user (or CLI information) is used to map a subscriber to his messages, and messages responsive to the codes are returned. Digital information related to the individual caller (i.e., caller ID information) is not returned or relayed to the subscriber via caller ID service.

Kaplan and Sawai fail to cure the deficiencies of Marks. Kaplan is directed to a message retrieval system, which provides a subscriber with a predetermined service number to call in order to retrieve messages stored in a message database (see e.g., Kaplan, Summary col. 2 lines 12-20). Nowhere in Kaplan is caller ID information sent to the subscriber independently or in association with a telephone message.

A similar system is employed in Sawai. Notification is sent to a subscriber of an answering service that messages are available to be retrieved. The subscriber telephone "A" receives a message from a wireless telephone "B", which identifies itself as a callback telephone. The callback telephone "B" is then dialed by "A" to retrieve a message as designated by the telephone number/code which deciphers between voice, FAX, email, etc. messages.

The Examiner stated that Sawai shows a caller ID system at col. 3 lines 40-45. The Applicant respectfully disagrees. Instead, col. 3, lines 40-45 discuss a mail ID corresponding to a phone number of a subscriber to an answering service. The "mail ID" is the mailbox for that subscriber who is identified by a telephone number. When the subscriber calls in, the messages in that user's mailbox are retrieved. This is completely different from the present invention as claimed.

None of the cited reference either alone or in combination discloses or suggests storing and retrieving caller ID information and making such information available regardless of whether a corresponding message is left at the time. The caller ID information is stored and provided to a user remotely from the answering machine, preferably by a wireless device.

More specifically, the cited combination fails to disclose or suggest, *inter alia*, establishing a network connection by a wireless device to a caller ID/answering machine, ...

receiving by the wireless device at least the caller ID information and storing at least the caller ID information in the wireless device for subsequent display, when the caller ID information is displayed. These features are found in independent claims 1 and 11.

The present invention identifies an individual caller not a callback number for retrieving messages. Caller ID information is advantageously stored at the time a message is left and may be retrieved remotely and independently of the actual message. The remote subscriber then can determine at least the identity of the caller and the telephone number from the caller ID information with or without retrieving the message. The cited combination fails to disclose or suggest at least this capability.

Nowhere in the cited combination is a connection established with a caller ID unit. Nowhere in the cited combination is the caller ID information received by the wireless device and stored in the wireless device for subsequent display, when the caller ID information is displayed. Instead, the cited combination provides a call-in service with a telephone number of the answering service provider, not the caller's number. This is evident from the fact that a message service generally would not have access to private messages of its subscribers via caller ID nor should the service be able to determine the identity of the caller or their telephone number for privacy concerns. It is therefore axiomatic that the cited combination fails to disclose or suggest the present claims since caller ID information is not retained, recorded or even suggested for retrieval by a remote wireless device.

Claims 1 and 11 have been amended to clarify the invention. The amendments are believed not to narrow the scope of the invention.

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It is therefore respectfully submitted that the present claims 1 and 11 and, therefore, claims 1-20 are in condition for allowance over the cited art. Reconsideration of the rejection is respectfully requested for at least the reasons stated.

By the Office Action, claims 8 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marks in view of Kaplan, Sawai and U.S. Patent No.5,933,478 to Ozaki et al. (hereinafter Ozaki).

Ozaki fails to cure the deficiencies of the combination of references as discussed above. Since claims 8 and 18 depend from independent claims 1 and 11, respectively, which are believed to be allowable, claims 8 and 18 are also believed to be in condition for allowance due at least to their dependencies. Reconsideration is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account No.

Respectfully submitted,

By:


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